

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2016

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.15844 of 2016 and Crl.M.P. Nos.7756 & 7757 of 2016

1 Balakrishnan
2 Leela Balakrishnan
3 Govindarajan ... Petitioners
Vs.

1 The Inspector of Police
All Women Police Station
Guindy, Chennai 600 032
2 P. Panjavarnam ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to C.C.No.2271 of 2014 on the file of the IX Metropolitan Magistrate Court, Saidapet, Chennai 600 015 and quash the charges framed against the petitioners.

For petitioners Mr. K.A. Mariappan

For R1 Mr. C. Emalias
Additional Public Prosecutor

For R2 Mrs. A. Kunjammal

सत्यमेव जयते
ORDER

This Criminal Original Petition is filed to call for the records relating to C.C. No.2271 of 2014 on the file of the IX Metropolitan Magistrate Court, Saidapet, Chennai 600 015 and quash the charges framed against the petitioners.

2 On the complaint lodged by one Panjavarnam, the second respondent herein, the first respondent police registered a case in Crime No.13 of 2012 on 18.10.2012 and after completing the investigation, has filed a final report in C.C. No.2271 of 2014 before the IX Metropolitan Magistrate Court, Saidapet, Chennai - 600 015 for offences under Section 406 and 506(I) IPC against Balakrishnan (A1), Leela Balakrishnan (A2) and Govindarajan (A3)

for quashing which, the accused are before this Court on the ground that they have arrived at an amicable settlement with the de facto complainant.

3 Today, the accused and the de facto complainant are present and they are identified by Ms. D. Malarvizhi, Inspector, All Women Police Station, Guindy. Both the parties have filed a joint memo of compromise, wherein, it is stated as follows:

"4. Pending adjudication, at the intervention of elders of both the family members and by considering the relationship exists between them a compromise was arrived at and the parties hereto have decided to compound the same and accordingly, the petitioner have agreed to pay a sum of Rs.1,60,000/- (Rupees One lakh sixty thousand only) to the second petitioner/de facto complainant, for which sum she has also agreed to receive.

It is submitted that the case in C.C. No.2271 of 2014 was compounded and in pursuance of the same, the petitioners have filed the above quash petitions on the ground of compromise and the petitioners and the second respondent are filing this joint memo of compromise as follows:

a) The petitioners this day have paid a sum of Rs.1,60,000/- (Rupees one lakh and sixty thousands only) to the second respondent herein, towards the cost of the jewels to the de facto complainant (a demand draft for the said sum of Rs.1,60,000/- (Rupees one lakh sixty thousands only) drawn on Axis Bank, payable at par with reference number 352012100105 dated 04.07.2016 was drawn in favour of the second respondent/de facto complainant).

b) The second respondent who received the said demand draft today, has signed in this joint memo of compromise and she has no objection in allowing the above criminal original petition in CrI.O.P. No.15844 of 2016 on the file of this Hon'ble Court."

In view of the above, the proceedings in C.C. No.2271 of 2014 on the file of the IX Metropolitan Magistrate Court, Saidapet, Chennai 600 015, is quashed and this Criminal Original Petition is allowed. Connected Crl.M.Ps. are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1 The Inspector of Police,
All Women Police Station,
Guindy, Chennai 600 032.
 - 2 The IX Metropolitan Magistrate,
Saidapet,
Chennai 600 015.
 - 3 The Public Prosecutor,
Madras High Court,
Chennai 600 104.
- +1cc to Mr.K.A.Mariappan, Advocate Sr.44806

Crl. O.P.No. 15844 of 2016

ctr[co]
srg 01/09/2016

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